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13 FACEBOOK, INC. and

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15 FOLLOWING PAGE

16 **UNITED STATES DISTRICT COURT**

17 **NORTHERN DISTRICT OF CALIFORNIA**

18 **SAN FRANCISCO DIVISION**

19 CHILDREN'S HEALTH DEFENSE,

20 Plaintiff,

21 v.

22 FACEBOOK, INC., ET AL.,

23 Defendants.

Case No. 3:20-cv-05787-SI

**UNOPPOSED CIVIL LOCAL RULE 7-  
11 MOTION TO EXCEED PAGE  
LIMITATIONS**

Hon. Susan Illston

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16 THE POYNTER INSTITUTE FOR MEDIA

STUDIES, INC.

1 Pursuant to Civil Local Rule 7-11, Defendants Facebook, Inc., Mark Zuckerberg, and the  
2 Poynter Institute for Media Studies, Inc. (collectively “Defendants”) request that the Court enter the  
3 attached stipulation, pursuant to which (1) all Defendants consent to Children’s Health Defense’s  
4 (“CHD”) filing of a Second Amended Complaint (“SAC”), (2) Defendants Facebook and Mark  
5 Zuckerberg will be permitted three additional pages for their combined motion to dismiss; (3)  
6 Defendant Poynter will be permitted three additional pages for its own motion to dismiss; and (4)  
7 CHD will be permitted three additional pages to respond to each of the anticipated motions to  
8 dismiss. CHD does not oppose this motion.

9 On December 4, 2020, CHD filed a motion for leave to file an amended complaint, which  
10 attached CHD’s SAC. Dkt. 65. Defendants’ response to this motion would be due December 18,  
11 2020, just three days prior to the date Defendants’ motions to dismiss the First Amended Complaint  
12 (“FAC”) are due. *See* Dkt. 63. Rather than burden the Court with simultaneous briefing on CHD’s  
13 motion for leave to file the SAC and Defendants’ anticipated motions to dismiss the FAC,  
14 Defendants will not oppose CHD’s motion for leave but ask for an additional three pages for their  
15 respective motions to dismiss to address the new allegations. CHD does not oppose this request for  
16 three additional pages, conditioned on Defendants’ agreement that CHD shall have an additional  
17 three pages to oppose each of their motions to dismiss.

18 Although Defendants acknowledge that an increase in pages impacts the Court in reviewing  
19 the motion, Defendants respectfully submit that good cause exists for the modest page limit  
20 extensions requested herein. The additional pages will permit all parties to adequately address the  
21 new allegations set forth in Plaintiff’s proposed Second Amended Complaint (“SAC”)—which spans  
22 391 paragraphs and 150 pages—and to present arguments and authorities that will best aid the Court  
23 in resolving the issues raised therein. In addition, by addressing the proposed amendments now, the  
24 parties eliminate the need for the Court to separately resolve the motion for leave to amend.  
25 Moreover, under the parties’ stipulation, the existing case schedule remains the same—motions to  
26 dismiss will be filed December 21, 2020; CHD’s oppositions will be filed on February 5, 2021;  
27 Defendants’ replies will be filed March 5, 2021; and argument on the motion to dismiss and the  
28 initial case management conference can proceed as scheduled on March 19, 2021. *See* Dkt. 63.

1 Defendants therefore respectfully request that the Court enter the attached proposed order  
2 approving the parties' stipulation.

3  
4 Dated: December 14, 2020

WILMER CUTLER PICKERING, HALE AND  
DORR LLP

5  
6 By: /s/ Sonal N. Mehta  
SONAL N. MEHTA

7 *Attorney for Defendants*  
8 Facebook, Inc. and Mark Zuckerberg

9 Dated: December 14, 2020

THOMAS LOCICERO PL

10 By: /s/ Carol Jean LoCicero  
11 CAROL JEAN LOCICERO

12 *Attorney for Defendants*  
13 The Poynter Institute for Media Studies, Inc.

**CERTIFICATE OF SERVICE**

I hereby certify that on December 14, 2020, I electronically filed the above document with the Clerk of the Court using CM/ECF which will send electronic notification of such filing to all registered counsel.

Dated: December 14, 2020

By: /s/ Sonal N. Mehta  
Sonal N. Mehta

**ATTORNEY ATTESTATION**

I, Sonal N. Mehta, am the ECF User whose ID and password are being used to file this Stipulation and accompanying proposed order. In compliance with Civil Local Rule 5-l(i)(3), I hereby attest that concurrence in the filing of this document and all attachments has been obtained from each signatory.

Dated: December 14, 2020

By: /s/ Sonal N. Mehta  
Sonal N. Mehta